

## GUSTAVUS COOLEY.

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JULY 1, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. FENTON, from the Committee on Military Affairs, submitted the following

### REPORT.

[To accompany H. R. 8631.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 8631) for the relief of Gustavus Cooley, having considered the same, report the bill back with the recommendation that it do pass.

The facts in this case, as shown by the evidence submitted, are as stated below:

Gustavus Cooley was enrolled as a member of Company A, Twentieth Regiment Maine Volunteers, on the 14th day of July, 1862, at Solon, Me., and reported for duty immediately afterwards to Col. Isaac Bangs, who was in command of the camp at Portland, in said State. Colonel Bangs testifies in part as follows:

Gustavus Cooley, while preparing wood for the cook tent, accidentally cut his left hand badly, and I gave him permission to return home till his hand was healed. I corresponded with him afterwards to learn if he was in condition to be mustered with the company August 9 of that year. As a matter of fact and of record, he never was mustered into my company or any other, and never could have been by reason of this disability.

Your committee are of opinion, in view of the testimony submitted, that Gustavus Cooley received an injury of a serious nature while in the line of duty, and that said injury prevented his being mustered into the service of the United States, and they regard it but an act of justice that Congress grant the relief asked.

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RECORD AND PENSION OFFICE, WAR DEPARTMENT,  
*Washington City, February 23, 1898.*

SIR: In reply to your letter of yesterday, addressed to the Adjutant-General of the Army, and by that official referred to this office, to which its subject-matter pertains, in which letter you request to be informed whether or not any relief can be provided Mr. Gustavus Cooley, of Norridgewock, Me., by this Department, and, if not, that you be advised in what form a bill should be drawn authorizing the placing of his name on the rolls of Company A, Twentieth Maine Infantry, I have the

honor to inform you that the records of this Department afford no information as to Mr. Cooley's alleged enrollment or service. It appears from his own statement and the testimony submitted that he was enrolled as a member of Company A, Twentieth Maine Volunteers, on or about July 14, 1862, but was injured in the left hand prior to the muster-in of the company, and that he returned to his home in consequence of this injury and was not mustered into the service with the company, or at any subsequent date.

This man never having been in the military service of the United States as a member of Company A, Twentieth Maine Infantry, he can not be recognized by this Department as a member of that company without special legislation authorizing it. It would appear that one object, at least, of the proposed legislation is to give Mr. Cooley a pensionable status, and this would probably be effected by the enactment of a bill in the form of the draft herewith inclosed.

The injury received by Mr. Cooley evidently disabled him for a period of at least three months, and the bill has accordingly been drawn so as to recognize him as having been in the military service of the United States for the period of ninety days or more, so as to give him a pensionable status under the act of June 27, 1890, as well as under the general pension laws.

The inclosures to your letter are herewith returned.

Very respectfully,

F. C. AINSWORTH,

*Colonel, United States Army, Chief Record and Pension Office.*

Hon. EDWIN C. BURLEIGH,  
*House of Representatives.*

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